

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3-4 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Kawai et al.

Regarding claim 1, Kawai et al., discloses a method and processor for obtaining moments and torques in a biped walking system with features of the claimed invention including a system for measuring ground reaction force and analyzing the performance of a person in which force sensors are located in the person's shoe (such as sensor 24) and a three dimensional accelerometer of the central gravity (col. 2, line 55) is presented and the signals from the accelerometer and the force sensors are recorded and analyzed.

Regarding claim 3, the measurements can be performed simultaneously.

Regarding claim 4, 6, Kawai et al., teaches the use of proper electronic module.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawai et al., as applied to claims 1 and 4, above, and further in view of Avni et al.

Regarding claims 2 and 7, Kawai et al., does not recite explicitly the use of neural network, however, the use of such arrangement in force sensors placed in shoes is well known. For example, Avni et al., an adaptive weight bearing monitoring suggesting the use of neural network. Therefore, it would have been obvious for a skilled artisan at the time of the invention to modify Kawai et al to use a neural network. Because it is known that such processing technique is one of a suitable artificial intelligence circuitry to be used to measure and process the dynamic data to conduct a real-time statistical study (col. 8, line 39).

Regarding claim 5, Kawai et al., does not specifically recite a wireless module. However, in today's technology the use of wireless communication is unavoidable. Moreover, Anvi et al., also suggests such arrangement (see col. 9, line 40). Hence, it would have been obvious for a skilled artisan at the time of the invention to modify any electronic data acquisition system with wireless communication in order to provide for more versatile system.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kawai et al., as applied to claims 1 and 4, above, and further in view of Ratzlaff et al.

Regarding claim 8, the force sensors comes in variety of form and shapes, and the use of a piezosensitive sensor in an obvious choice. Furthermore, the use of piezo effect force sensor in shoes is notoriously known. For example, Ratzlaff et al., discloses a system for measuring

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forces during human motion teaching the use of piezoelectric sensor as the force sensor (see, for example, claim 1).

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Max H. Noori whose telephone number is (571) 272-2185. The examiner can normally be reached on Tuesday-Friday from 8:00 AM to 6:00 P.M.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2800. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. The central fax number is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Max Noori/

Primary Examiner, Art Unit 2855

Wednesday, June 11, 2008